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The Institution of Wilāyat al-Sūq (Ḥisbah) in the Maghreb and al-Andalus and Its Economic Functions in the Middle Ages

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ABSTRACT

The institution of ḥisbah, whose function was to supervise the public affairs of society and the conduct of citizens, was known in the Maghreb and al-Andalus as Wilāyat al-Sūq and Khiṭṭat al-Sūq. This designation reflected the fact that the institution's most important responsibility in these regions of the Islamic world was the supervision of markets and commercial activities. Drawing on historical, ḥisbah, and jurisprudential sources, particularly works of Mālikī jurisprudence—the predominant school of Islamic law in the Maghreb and al-Andalus—this study examines the economic functions of the institution of Wilāyat al-Sūq and the duties of the Ṣāḥib al-Sūq (the official responsible for this institution) in supervising markets and commercial activities, as well as its role in establishing social order, security, and economic ethics. In the western Islamic world, the institution of Wilāyat al-Sūq operated within a religious framework grounded in Islamic, particularly Mālikī, jurisprudence. Through strict supervision of prices, scales, measures, and the location and organization of marketplaces; the prevention of overpricing, short-weighting and short-measuring, commercial fraud, and hoarding; and the punishment of offenders, this institution not only contributed to safeguarding the religious and moral integrity of society but also promoted order and stability in marketplaces and enhanced economic security. Furthermore, it facilitated public access to sound, high-quality goods at reasonable prices.

Keywords: *Maghreb and al-Andalus; Wilāyat al-Sūq (Ḥisbah); Ṣāḥib al-Sūq (Muḥtasib); market; economic security*

Introduction

Ḥisbah was one of the administrative-religious institutions of the Islamic period, whose function was to supervise public affairs and the conduct of citizens on the basis of the religious and customary norms of Islamic society. This institution, which was closely associated with the religious duty of enjoining good and forbidding evil, was affiliated with the judicial apparatus. Although some scholars have traced the origins of *ḥisbah* to the time of the Prophet Muḥammad or ʿUmar ibn al-Khaṭṭāb, the earliest evidence for the use of the term *ḥisbah* dates to the early eighth century, during Umayyad rule. Apparently, the function of the *ḥisbah* institution was initially limited to a form of administrative supervision over markets; however, during the Abbasid period, its responsibilities expanded beyond commercial affairs to include religious and moral matters (1).

Following the establishment of Arab-Muslim rule in the western Islamic world, the institution of *ḥisbah* began to function along lines similar to its eastern counterparts. In the Islamic Maghreb, however, the terms *Khiṭṭat al-Sūq*,

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Wilāyat al-Sūq, and *Aḥkām al-Sūq* were used for centuries instead of *ḥisbah*, while *Ṣāḥib al-Sūq* was used in place of *muḥtasib*. Ibn Bashkuwāl (1101–1183), in his biography of one of the *muḥtasibs*, Ibn Mashāṭ al-Ruʿaynī al-Qurṭubī (d. ca. 1007), states: "He was appointed to the administration of the rules of *ḥisbah*, which among us is called *Wilāyat al-Sūq*" (2). In the ninth century, Ibn al-Ṣaghīr, in *Akhbār al-Aʾimma al-Rustamiyyīn* (composed ca. 903), and Yaḥyā ibn ʿUmar (ca. 838–902), in *Aḥkām al-Sūq*, employed the expressions *Ṣāḥib al-Sūq* and *Wilāyat al-Sūq* (3, 4). The terms *Ṣāḥib al-Ḥisbah* and *muḥtasib* also appear in works of the tenth and eleventh centuries (5-7). In addition to these terms, *ḥisbah* treatises of the twelfth through fourteenth centuries employed expressions such as *al-nāẓir fī al-ḥisbah* (8), *walī al-ḥisbah*, *khiṭṭat al-ḥisbah* (9), and *khiṭṭat al-sūq*. An examination of the jurisprudential, historical, and *ḥisbah* sources of the western Islamic world shows that *Wilāyat al-Sūq* and *Ṣāḥib al-Sūq* were more frequently used (4, 6, 7, 10-13). The prevalence of these terms in works by authors from the Maghreb and al-Andalus indicates that, in this part of the Islamic world, the *ḥisbah* institution was primarily concerned with supervising markets and the economic activities of society (14).

Several Arabic-language studies have addressed the institution of *ḥisbah* in the western Islamic world. ʿAbd al-Ḥalīm ʿAlī Ramaḍān Duwaym, in *Al-Ḥisbah fī al-Andalus Khilāl ʿAṣray al-Murābiṭīn wa al-Muwaḥḥidīn* (2006), examined *ḥisbah* and the role of the *muḥtasib* in matters such as agriculture, food industries, metalworking, imports and exports, and hoarding during the Almoravid and Almohad periods. Salmā bint Salmān ibn Musayfir al-Ḥusaynī al-ʿAwfī, in *Al-Ḥisbah fī al-Andalus* (2000), also examined the institution of *ḥisbah*, although economic responsibilities such as supervision over pricing, weights, measures, and related matters received little attention. Mūsā Laqbāl, in *Al-Ḥisbah al-Madhhabiyya fī Bilād al-Maghrib al-ʿArabī* (1971), briefly introduced *ḥisbah* sources in the Maghreb and discussed weights and measures. Other researchers, including ʿIzz al-Dīn ʿUmar Aḥmad Mūsā in *Al-Muwaḥḥidūn fī al-Gharb al-Islāmī: Tanẓīmātuhum wa Nuẓumuhum* and *Al-Nashāṭ al-Iqtiṣādī fī al-Maghrib al-Islāmī Khilāl al-Qarn al-Sādis al-Hijrī* (1983), ʿIṣmat ʿAbd al-Laṭīf Dandash in *Al-Andalus fī Nihāyat al-Murābiṭīn wa Mustahall al-Muwaḥḥidīn: ʿAṣr al-Ṭawāʾif al-Thānī* (1988), Kamāl Sayyid Abū Muṣṭafā in *Jawānib min al-Ḥayāt al-Ijtimāʿiyya wa al-Iqtiṣādiyya wa al-Dīniyya wa al-ʿIlmiyya fī al-Maghrib al-Islāmī* (1996), and Karīm ʿĀtī al-Khuzāʿī in *Aswāq Bilād al-Maghrib min al-Qarn al-Sādis al-Hijrī Ḥattā Nihāyat al-Qarn al-Tāsiʿ al-Hijrī*, have addressed *ḥisbah* only briefly and in dispersed discussions (14). No independent study, however, has specifically investigated the supervision exercised by *Wilāyat al-Sūq* (*ḥisbah*) over markets and economic activities. Accordingly, the present study examines the functions of *Wilāyat al-Sūq* in supervising and regulating market affairs and its effects on the economic and social conditions of the Maghreb and al-Andalus. What responsibilities did *Wilāyat al-Sūq* assume in relation to economic activities? What role did it play in establishing economic security and safeguarding the ethical integrity of economic life? Was its supervision of economic activities exclusively religious in orientation and intended to fulfill the obligation of enjoining good and forbidding evil, or was it also designed to maintain economic security and market equilibrium? These are the questions that the present study seeks to answer through the examination and analysis of historical, jurisprudential, and related sources.

Given the close relationship between *Wilāyat al-Sūq*, the judicial institution, and the jurisprudential system, it appears that the principal orientation of *Wilāyat al-Sūq* in supervising markets and economic activities was religious and grounded primarily in jurisprudential rules. Its practical operation, however, also resulted in market order, economic security, and the protection of society's moral integrity.

Wilāyat al-Sūq (Ḥisbah) in the Western Islamic World

In the Islamic Maghreb, the duties later associated with the *muḥtasib* were initially performed by governors and the *ṣāḥib al-shurṭa*, until judges assumed responsibility for this office in the ninth century. Sahnūn (d. ca. 855), for example, simultaneously held the judicial office and responsibility for *ḥisbah* in Ifrīqiya in 849, during the reign of Muḥammad ibn al-Aghlab (841–857). The office was subsequently separated from the judiciary when responsibility for *ḥisbah* was entrusted to Ḥabīb ibn Naṣr al-Tamīmī (d. ca. 900), one of Sahnūn's disciples (15). In al-Andalus, the institution of *ḥisbah* likewise dated back to the period of the governors (16), although its administration was initially regarded as one of the responsibilities of the police authority. According to Ibn al-Abbār, the Umayyad ruler Hishām ibn ʿAbd al-Raḥmān (r. 788–796) appointed Fuṭays ibn Sulaymān (d. ca. 820) as supervisor of the market (17). It was probably ʿAbd al-Raḥmān ibn al-Ḥakam (r. 822–852) who first separated *ḥisbah* from the office of the police (18). Nevertheless, the two offices were occasionally entrusted to the same individual thereafter. Al-Ḥakam II (r. 961–976), for instance, appointed a man named Aḥmad ibn Naṣr simultaneously as *ṣāḥib al-shurṭa* and holder of *Wilāyat al-Sūq*, instructing him to expand the market of Córdoba, which had become overcrowded and faced difficulties in the display and sale of commodities (16, 19). Muḥammad ibn al-Ḥārith (d. ca. 874) (16), Aḥmad ibn Yūnus al-Ḥarrānī (d. after 961), and Muḥammad ibn Muḥammad ibn Ibrāhīm al-Qaysī (d. ca. 954) (2) were likewise among those who held both positions concurrently. This overlap demonstrates the close relationship between the duties of the *ṣāḥib al-shurṭa* and those of the *Ṣāḥib al-Sūq*, both of whom were concerned with the maintenance of public order and security.

Wilāyat al-Sūq was, in effect, part of the government's judicial apparatus for establishing security and administering justice. By preventing prohibited practices, it implemented legal rules in order to protect the public interest (12). The *Ṣāḥib al-Sūq* was also responsible for matters of public concern and, by addressing them, assisted the judge in the administration of justice. Ordinarily, the *Ṣāḥib al-Sūq* did not adjudicate plaintiffs' claims or issue judgments, except in matters such as fraud and deceptive practices that directly affected people's livelihoods (20). Just as rulers and judges employed assistants in the administration of their responsibilities (4), the *Ṣāḥib al-Sūq*, because of the multiplicity of his duties, also selected assistants to help achieve the objectives of the institution (2, 19). For each occupational group, he relied on a trustworthy, honest, experienced, and knowledgeable individual known as the *ʿarīf*, whose duty was to remind members of the guild or occupational group of the customary duties and obligations governing their profession (21). He also relied on such persons in the practical supervision of different trades (20, 22). For the supervision of certain occupations, trustworthy women known as *amīna* were also employed. The sale and transfer of female slaves, for example, were required to take place under the supervision of an *amīna*.

The remuneration of the *Ṣāḥib al-Sūq* was paid from the public treasury, particularly from revenues generated through the *jizya* (5, 14). Sahnūn, for example, paid the salaries of his assistants, scribes, and judges from the *jizya* collected from non-Muslim subjects, which constituted part of the public treasury (15).

The Economic Duties of Wilāyat al-Sūq

During the Middle Ages, the inhabitants of the Maghreb and al-Andalus generally referred questions of Islamic law to Mālik and his disciples, such as ʿAbd al-Raḥmān ibn al-Qāsim al-Miṣrī (d. ca. 806) and ʿĪsā ibn Dīnār al-Ghāfiqī (d. ca. 827) (15, 23). Given its religious character, *Wilāyat al-Sūq* was likewise influenced by Mālikī

jurisprudence and, particularly in commercial and occupational matters, operated in accordance with Mālikī legal opinions. In markets and economic affairs, the institution sought to establish security and prevent abuses such as fraud, hoarding, overpricing, and short-weighting. According to the sources, its principal economic duties included the following.

Supervision of Prices

Within the Mālikī school, compulsory price fixing for commodities, goods, and market services was generally regarded as impermissible (8, 24). Even under conditions such as declining production or supply and increasing population or demand, which disrupted prices, compulsory price regulation was generally not considered permissible; instead, the appropriate remedy was understood to be increasing the supply of commodities and encouraging greater production. Although compulsory price fixing could be regarded as a form of unlawful appropriation and prices were not ordinarily imposed on sellers and producers, merchants sometimes agreed among themselves on the price of particular commodities, taking into consideration the public interest of both sellers and buyers and the principle of preventing public harm in order to prevent excessive prices and market disorder (7, 14). They would thus establish a uniform market price (9).

One of the duties of the *Ṣāḥib al-Sūq* was to supervise prices and prevent the sale of commodities above the prevailing market rate (12). In supervising prices, the governor or *Ṣāḥib al-Sūq* assembled merchants and knowledgeable and prominent representatives of each trade, whose testimony helped establish the accuracy of market information. By examining the manner in which commodities had been purchased (7, 8), estimating costs, considering the public interest, and taking into account the interests of both sellers and buyers (7, 8), prices could be determined. The consent of sellers had to be obtained in this process, because dissatisfaction among them could encourage corruption and hoarding (7). Once a rate had been established, sellers were bound by it and were not permitted to raise prices. If a merchant increased the price contrary to the decision of the *Ṣāḥib al-Sūq*, he could be compelled to reduce it and sell at the prescribed rate. If he refused, he could be expelled from the market (12). Likewise, if a seller undercut the prevailing market price for reasons such as selling inferior-quality goods, the *Ṣāḥib al-Sūq* could compel him to sell at the agreed price in conformity with other merchants or, alternatively, leave the market. Such underpricing was regarded as harmful because it could injure other sellers while simultaneously facilitating the circulation of inferior goods (12).

Declining production, population growth, political unrest, social disorder, natural disasters, and similar circumstances could cause prices to rise. Ibn ʿIdhārī (d. ca. 1320) records several natural events, including famines, droughts, and epidemics such as plague, that resulted in price increases (10). In approximately 929, for example, an epidemic in Kairouan caused the price of one *qafīz* of wheat to reach one *mithqāl* of gold (10). Political instability likewise exerted a direct influence on prices and could cause both increases and decreases (22). Under such circumstances, supervision of prices became more necessary and the responsibilities of the *muḥtasib* more difficult. When Wājib ibn ʿUmar ibn Qaysī became *Ṣāḥib al-Sūq* of Valencia, for example, the region was affected by the revolt of Abū Aḥmad ibn Jaḥḥāf al-Akhyaf and attacks by Christian forces, resulting in market disorder and price instability (17). During the reign of ʿAlī ibn Yūsuf ibn Tāshfīn (r. 1106–1143), political disturbances likewise caused commodity prices to rise. During the reign of the Marinid ruler Yaʿqūb (r. 1258–1286), the siege of Marrakesh in 1266, undertaken to force the surrender of Abū Dabbūs, the last Almohad ruler, produced famine and a sharp increase in prices (13). In 1242, prices also rose dramatically in Tunis during the rule of Abū Zakariyyā Yaḥyā al-

Ḥafṣī (r. 1228–1249), and one *qafīz* of wheat reportedly reached eighty dinars (25). Alongside such episodes of inflation, maintaining affordable prices for essential commodities such as flour, oil, and meat remained a major concern of Islamic society, and the *Ṣāḥib al-Sūq* actively sought to fulfill this responsibility (26).

Prevention of Hoarding

One of the principal responsibilities of Islamic government throughout different periods was to secure the livelihood of the population. Accordingly, Islamic authorities emphasized the prevention and suppression of hoarding in order to preserve the integrity of market activity. As an executive arm of government, the *Ṣāḥib al-Sūq* sought to prevent the hoarding of commodities, which obstructed the circulation of capital and restricted access to basic necessities. By contributing to market stability, he facilitated access to essential goods and helped prevent economic crises and their destructive social consequences.

One of the duties of *Wilāyat al-Sūq* in combating hoarding was to prevent the sale of commodities and agricultural products inside inns and caravanserais, thereby ensuring that goods were brought to the market and made accessible to the public, particularly lower-income groups (4). When prices were low and agricultural produce was abundant, however, purchasing goods at the farmers' places of residence could be permitted (4). Individuals known for hoarding were prohibited from purchasing excessive quantities of essential commodities; for instance, they were not permitted to buy more than one *qafīz* of wheat. Brokers were likewise forbidden from selling hoarders goods in excess of the subsistence needs of their households (4).

If hoarders, particularly those stockpiling food, continued their activities after receiving warnings from the *Ṣāḥib al-Sūq*, they could be publicly identified and compelled to sell their goods. The *Ṣāḥib al-Sūq*, however, allowed them to retain the annual subsistence requirements of their households (4). Hoarders were also permitted either to store their annual provisions or to trade with them. Although the sale of hoarded commodities could be made compulsory, their prices were not necessarily fixed, since such compulsory pricing was considered outside the requirements of justice and the owner retained rights over his property. The sources do not clarify whether these commodities were sold at the price prevailing when they had been hoarded or at the price prevailing when compulsory sale was imposed. Nevertheless, their sale in private houses or places outside the market could be prohibited to ensure that the commodities were genuinely brought into public circulation. In addition to publicly exposing hoarders and compelling them to sell their goods, the *Ṣāḥib al-Sūq* could impose other sanctions, including expulsion from the market, flogging, and imprisonment (4).

Prevention of Fraud in Transactions

According to the Prophetic tradition, "Whoever commits fraud is not one of us," any form of deception, fraud, or dishonesty in transactions that caused harm to others was regarded as prohibited across Islamic legal schools, including Mālikī jurisprudence. The Islamic government was consequently responsible for preventing such practices (27, 28). In the Islamic Maghreb, some Jewish religious figures were reportedly said to have interpreted this tradition polemically by encouraging Jews to defraud Muslims so that they would not belong to the Prophet's community (29). One of the responsibilities of *Wilāyat al-Sūq* in preserving economic integrity and social morality was therefore to identify those who engaged in fraudulent practices and take action against them.

Under Mālikī jurisprudence, fraud in the Maghreb and al-Andalus assumed numerous forms. Those forms directly connected to trade and economic activity and supervised by the *Ṣāḥib al-Sūq* included the following.

1. **Mixing high-quality commodities with inferior ones:** This form of fraud was particularly widespread in foodstuffs and affected essential commodities such as wheat, oil, butter, meat, spices, flour, and similar goods. The *Ṣāḥib al-Sūq* considered any deliberate reduction in the quality of food products to constitute fraud and could act against the offender (8, 12).

Mixing high-quality flour with inferior flour, bran, or waste; combining inferior wheat with high-quality wheat; mixing stale oil with fresh oil or inferior oil with higher-quality oil; blending olive oil with other oils; mixing cow's milk with sheep's milk; and mixing pure honey with adulterated honey were all considered forms of fraud (8). In bread production, the use of chickpea flour or sidr because they were heavier and caused bloating, excessive salt, and natron salt—a naturally occurring alkaline salt extracted from Wadi al-Natrun northwest of Cairo and used in Islamic medicine for certain diseases (30)—could also be considered fraudulent when such ingredients endangered health or deceptively reduced production costs. Mixing mutton with beef and selling it as mutton constituted another form of fraud. Likewise, mixing tripe or abdominal fat with more expensive pure meat was reportedly common. If, however, the seller clearly disclosed the proportions of high- and low-quality goods contained in a mixture, the transaction was not regarded as fraudulent (12). Some butchers also sold carrion, either separately or mixed with meat from animals slaughtered lawfully. The *Ṣāḥib al-Sūq* therefore had to distinguish carrion from meat derived from properly slaughtered or hunted animals. One test consisted of placing a piece of meat in water: according to the source, if it floated, it was considered carrion, whereas if it sank, it was regarded as meat from a slaughtered animal. Another method involved examining the hide and severed blood vessels: small traces of blood were regarded as evidence of carrion, whereas the skin surface of a properly slaughtered animal was expected to appear clear and pale.

2. **Artificially increasing the weight of commodities:** Adding substances resembling or blending with the commodity in order to increase its weight was considered fraud, and the *Ṣāḥib al-Sūq* was responsible for preventing it. Adding water to products such as milk (4, 8, 12, 27), storing goods in damp places, or sprinkling water onto commodities to increase their weight were examples of this practice (8). Forming spun cotton into dense balls in order to make it appear heavier, a practice reportedly used by some women, was likewise considered fraudulent (4).
3. **Alteration of the color and external appearance of commodities:** Another form of fraud involved changing the color or appearance of goods. This occurred especially in food products in order to make them appear more attractive or heavier and thereby deceive buyers. Some cooks, for example, immersed fried fish in salt water to improve its appearance and increase its weight (8). Bread could also be browned with lentil flour, vetch, or broad-bean flour, and water and honey could be sprinkled on it before baking or oil applied after removal from the oven in order to enhance its appearance or weight (8).
4. **Selling commodities at inappropriate times:** Sellers sometimes offered goods at times when defects were difficult to detect. Silk and linen textiles, for example, could be sold around sunset, when visibility was reduced and buyers had greater difficulty identifying defects. Such conduct was regarded as fraudulent, and the *Ṣāḥib al-Sūq* sought to prevent it.
5. **Debased coinage:** Minting adulterated coins containing copper and using broken dirhams and dinars were regarded as impermissible practices (7, 12, 28). The *Ṣāḥib al-Sūq* was responsible for taking action against such practices and preventing the circulation of debased coinage.

6. **Failure to disclose the composition of mixed commodities:** When commodities composed of several ingredients with different values were sold, the proportion of each ingredient had to be specified. Some sellers nevertheless engaged in deception for greater profit. Certain butchers mixed fatty meat with bony meat and sold the mixture according to the weight or price classification of only one component. Others mixed mutton with goat meat without accurately informing customers of the relative quantities (8).
7. **Selling goods under the name of a well-known product:** Certain commodities enjoyed widespread recognition and high demand. Some sellers therefore marketed counterfeit or inferior imitations under the name of well-known goods. Alexandrian textiles, for example, were famous and popular, leading some merchants to sell white cloth manufactured elsewhere under the name of Alexandrian textiles. Such conduct was considered fraud and was subject to intervention by the *Ṣāḥib al-Sūq*.
8. **Fraud in beverages:** This type of fraud was reportedly practiced by perfumers and druggists, who sometimes prepared two types of beverages: a high-quality product for local townspeople and an inferior one for foreign merchants and villagers. In order to attract outsiders, sellers displayed the superior beverage but supplied them with the inferior product. The *muḥtasib* was responsible for prohibiting such conduct.
9. **Fraud in weights and measures:** Some merchants manipulated weighing and measuring instruments in various ways, and the *Ṣāḥib al-Sūq* was responsible for supervising and preventing such practices, as discussed below.

The *Ṣāḥib al-Sūq* could impose penalties on fraudulent merchants, including prohibiting the sale of their goods, closing their shops, expelling them from the market, flogging them, and imprisoning them (4, 8). The *Ṣāḥib al-Sūq* was not entitled simply to destroy adulterated goods (12); instead, such goods were commonly distributed to the needy as charity (8).

Combating Short-Weighting and Short-Measuring

The principal religious basis for combating short-weighting derived from Qurʾanic verses condemning those who give deficient measure, and Mālikī jurisprudence likewise emphasized its prohibition as a means of maintaining economic order and social justice (4). Short-weighting occurred in various occupational groups through diverse forms of deception involving scales, measures, and standardized weights. Supervision by the *muḥtasib* was therefore particularly important. One common method of manipulating a balance involved placing the seller's left hand or thumb on part of the scale mechanism. Other practices included tilting one pan of the balance or placing a lead weight on one side, allowing dust to accumulate on a scale pan (4), filling the inside of a lead weight with oil or wax so that its external size appeared normal while its actual weight was reduced, coating one pan with lead and the other with wax in order to create imbalance, and using a basket instead of a proper scale pan, which could reduce the actual quantity delivered (4). All such practices facilitated short-weighting and required careful supervision by the *Ṣāḥib al-Sūq*.

Short-measuring through volumetric measures was also practiced in several ways. When measuring foodstuffs, leaving part of the measure unfilled or failing to level its surface was considered short-measuring. Accordingly, the *Ṣāḥib al-Sūq* emphasized that measures should be completely filled and leveled. Rapid filling of measures could likewise be prohibited when it prevented the container from being completely filled and thus served as a means of deception. Some sellers measuring wheat or barley reportedly sat on their knees and toes and deliberately filled the measure rapidly, so that it was not completely filled and part of the grain fell between their legs onto the ground,

after which they retrieved it. Another method involved failing to clean the surface beneath the measurer so that spilled commodities could not easily be detected. Depressions in copper measures, inwardly bent rims, coatings of mud or plaster, and the pouring of molten wax onto the interior surface of measuring vessels could all reduce their effective capacity and facilitate short-measuring. Sellers of liquids likewise sometimes poured liquids too rapidly to ensure that measuring vessels were not completely filled. Bakers could engage in short-weighting by reducing the size and weight of portions of dough in order to increase profit (8). By requiring merchants to place scales where customers could clearly see them, the *Ṣāḥib al-Sūq* reduced opportunities for short-weighting and other forms of fraud. Penalties for short-weighting included flogging, expulsion from the market, and imprisonment.

Supervision of Standards, Weights, and Measures

Because the Qurʾan emphasizes giving full measure and weight, jurisprudential and *ḥisbah* sources likewise attached considerable importance to accurate measurement as a means of protecting the integrity of markets and commercial transactions (4, 9). Accurate determination of the weight and quantity of commodities in commercial exchange was important from both economic and religious perspectives. Supervision of standardized weights and measures therefore constituted one of the most important duties of the *Ṣāḥib al-Sūq*. The great diversity of weights and measures used in the Maghreb and al-Andalus—including the *qīrāṭ*, *ūqiyya*, *raṭl*, *qinṭār*, and *mithqāl*, as well as volumetric measures such as the *mudd*, *wasq*, *qafīz*, *ṣufḥa*, *rubʿ*, *qisṭ*, *wayba*, *qādūs*, *qunfal*, *barshāla*, and *gharāra* (14)—required the *Ṣāḥib al-Sūq* to adopt different methods of supervision according to occupational group and commodity type (8, 14).

The *Ṣāḥib al-Sūq* required merchants to place scales in full view of customers in order to reduce opportunities for fraud and deception (4, 12). He also encouraged the use of balances with long vertical supports and light pans, which allowed greater equilibrium and more accurate measurement (4). The balance beam had to remain level and not incline toward the side containing the standardized weights. The use of iron or copper scale pans (8) and the placement of weighing instruments on stable rather than suspended or unstable surfaces were also emphasized (4). Handmade or modified weights and soft stones, such as salt-stone, whose large external volume could conceal a lower actual weight, were prohibited (4). By contrast, the use of iron standardized weights (*ṣunūj*) (8), calibrated against an approved reference maintained by the *Ṣāḥib al-Sūq* or a trusted representative, was required (4). If iron weights were unavailable, stone or glass weights could be used (8), although these were considered secondary alternatives because stone and glass could gradually wear or break and thereby lose weight. *Muḥtasibs* were consequently expected to inspect weights two or three times each year (4).

The *Ṣāḥib al-Sūq* also carefully inspected volumetric measures and required merchants to use vessels with regular openings and smooth rims so that foodstuffs and liquids did not remain trapped around the edges (4). Merchants were not permitted to manufacture their own measuring vessels; rather, they were expected to use measures approved by the authorities. Unregulated measures differed in size and thus undermined market order and facilitated deception. Sellers were also required to calculate the weight of measuring vessels separately from that of the commodity and to remove dust from containers before weighing. A straight leveling stick was used to ensure that the commodity was level with the rim of the measure. For some goods, specialized vessels were used. Thick, flat wooden measures, for example, could be employed for dried fruits so that their contents remained visible. Fresh fruits could be weighed using lead weights and baskets made from marsh plants or similar materials. Certain

foods also had specific units of measure; meat, fish, and *harīsa*, for example, could be weighed using an iron *raṭl* (4).

Supervision of Brokers

Brokers, or *samāsira*—the plural of *simsār*, meaning intermediary and originating from Persian (31)—were trusted individuals who facilitated transactions by bringing buyers and sellers together. Brokerage was considered legitimate when brokers accurately represented commodities and avoided false advertising, deception, and collusion, and the Islamic economic system recognized the occupation (24). Brokers were entitled to remuneration for their work but did not ordinarily have a share in the profit earned from the sale. Some brokers, however, colluded with owners of commodities and artificially raised prices for buyers in exchange for a share of the resulting profit. Such practices disrupted the market and could encourage ordinary merchants to abandon their own trades and become brokers in pursuit of higher profits (14).

Brokers who engaged in deception, fraud, collusion, price inflation, and excessive profit-seeking and thereby disrupted the market were known as *jullās*. Their activities have been discussed in a separate study on "The Activities of Brokers and Jullās and Their Impact on the Market Based on Maghribi-Andalusian Sources" (32). Islamic society did not regard the activities of the *jullās* as legitimate, and *Wilāyat al-Sūq* sought to prevent them.

According to Maghribi *ḥisbah* literature, the *jullās*, whose activities can be traced back to the Almoravid period (ca. 1056–1147), received remuneration from both buyers and sellers and sometimes acted as representatives and accomplices of wealthy merchants. By employing minor brokers, they manipulated prices in favor of major traders. At times, a *jallās* pretended to be a buyer and created artificial demand in order to raise the price of a commodity, sometimes to twice its normal level. In other cases, *jullās* colluded with buyers, disparaged the value of commodities, and lowered the offered price, forcing sellers to accept minimal profits or even losses. Some also purchased goods on credit, resold them at lower prices, and then avoided paying the original seller, using excuses such as inexperience, ignorance of prices, or insolvency to obtain leniency. During periods of limited supply and high demand, the *jullās* could also increase prices without restraint. Supervision by the *Ṣāḥib al-Sūq* intensified during shortages of essential commodities because such brokers could cooperate with hoarders, refuse to sell at ordinary prices, and thereby contribute to inflation. The *Ṣāḥib al-Sūq* required merchants to avoid dealing with such brokers in order to prevent abuse and preserve reasonable prices (4).

Supervision of Mints

Another responsibility of the *Ṣāḥib al-Sūq* was supervising mints. Fraudulent practices could occur in coin production, while counterfeit dirhams and dinars and debased coins containing copper were regarded as fraudulent. The use of broken dirhams and dinars in transactions was likewise considered impermissible (7). The *Ṣāḥib al-Sūq* therefore supervised minting operations and required mints to maintain the purity of coinage. He could also appoint a trusted individual to identify debased and counterfeit coins and remove them from circulation. Offenders could be punished and imprisoned (7).

Because the gold trade in parts of the Maghreb was heavily associated with Jewish merchants, Jewish artisans and merchants could also exercise influence over minting activities. Some sources accuse certain Jewish mint workers of fraudulent practices (29). During the reign of the Marinid sultan Abū al-Ḥasan (r. 1331–1348), for example, the ruler reportedly discovered that coins struck by Jewish mint workers lacked the governmental emblem,

did not identify the place of minting, were underweight, and contained adulterated metal. He therefore ordered that no coin be struck outside the central mint. On another occasion, when the supervisor of the mint in Sijilmasa examined the fineness of a Yaʿqūbī dinar minted by Jewish workers, he became suspicious and detected deficiencies. Jewish mint workers were reprimanded and prevented from continuing their work until one confessed that charcoal fragments had been introduced during the casting of silver. The individual was subsequently punished. Fraudulent coinage could harm not only economic life but also social stability because allegations of fraud and disloyalty could generate communal tensions and violence. For this reason, supervision of mints by the *Ṣāḥib al-Sūq* was regarded as particularly important and sensitive.

Supervision of the Location of Shops

One of the responsibilities of the *Ṣāḥib al-Sūq* was to supervise the location of different trades and occupations so that each could be assigned an appropriate space. Allocating specific locations to particular professions and industries helped establish order in commercial and industrial areas, preserve urban cleanliness and tranquility, prevent nuisance and harm to residents and neighboring occupations, and facilitate public access (4). Ibn Abī Aṣbagh reports that a woman named ʿĀtika complained against a man named ʿAbd al-Raḥmān who operated a bakery near her house because smoke from the bakery damaged her property and reduced its value. Following the complaint, the *Ṣāḥib al-Sūq* ordered ʿAbd al-Raḥmān to relocate the bakery so that it would no longer cause harm or inconvenience to others (6).

Supervision of the Hygiene of Shops and Commodities

Premises used for preparing and selling food were inspected daily by the *Ṣāḥib al-Sūq*. Hygiene requirements included spreading salt over butcher's boards at night and covering them with mats to prevent contamination, washing and cleaning meat containers daily, cleaning cooks' cauldrons, sweeping mills before wheat was ground, and removing soil and ash from bakery ovens. Those employed in each trade were expected to observe such measures. Additional food-hygiene requirements included removing the internal organs of certain animals such as fish, not placing sea fish in fresh water when this could accelerate spoilage, avoiding frying fish in poor-quality oils (8), refraining from blowing air by mouth into slaughtered sheep in order to avoid contaminating the meat, sifting flour before preparing bread dough, keeping dough covered, prohibiting the use of bathhouse water or pond water for bread dough (8), preventing excessive spicing of *harīsa* when considered harmful to the stomach, and prohibiting milk from being placed in copper vessels where it was believed to become toxic (4). Baking and selling bread near occupations considered unhygienic, such as fishmongers, bird sellers, and cupping establishments, were likewise prohibited (8).

Supervision of Slave Traders

Because the buying and selling of enslaved persons, including female slaves, was common in the markets of the Maghreb and al-Andalus and could involve deception and abuse, supervision by *Wilāyat al-Sūq* was considered necessary. The sale and transfer of enslaved men and women were therefore required to take place under the supervision of the *Ṣāḥib al-Sūq* or his assistants in order to prevent fraudulent practices by slave traders. Female slaves were supervised by trusted women known as *amīnas*. Traders sometimes attempted to present an older enslaved woman as young, an unattractive one as attractive, or an unskilled woman as possessing particular

talents. Medicines and compounds could also be used to conceal apparent illnesses or physical conditions such as vitiligo, eruptions, abscesses, or excessive body hair. The *amīna* therefore had to be capable of distinguishing healthy individuals from those suffering from illness. According to the *ḥisbah* sources, the *amīna* ensured that female slaves were not taken to private homes for examination or testing. Such examination had to occur in the *amīna*'s residence in the presence of both seller and prospective buyer. She also ensured that the women remained behind a screen and that their claimed skills and abilities were tested in the presence of recognized owners and slave traders.

Prevention of Prohibited Occupations

Because the Qurʾan prohibits wine, gambling, and related practices, Islamic jurisprudence strongly prohibited commercial activities involving these forbidden goods and activities. One of the responsibilities of the *muḥtasib* was therefore to prevent involvement in occupations such as producing, buying, and selling wine or trading in gambling implements. Individuals engaged in such activities could be punished by the *Ṣāḥib al-Sūq*, and their instruments and equipment could be destroyed (4). Preventive measures were also adopted. Trusted individuals capable of distinguishing prohibited beverages from permissible ones could be appointed to supervise places where drinks were produced. Large quantities of grapes could likewise be withheld from persons known to manufacture wine (4).

Conclusion

The institution of *Wilāyat al-Sūq* was closely connected with both the judiciary and the jurisprudential system and, in effect, formed part of the judicial-administrative apparatus responsible for maintaining security, administering justice, and protecting the moral integrity of society. Its principal orientation in supervising markets and economic activities was therefore largely religious, with the fulfillment of the obligation to enjoin good and forbid evil constituting an important objective. Nevertheless, the duties exercised by the *Ṣāḥib al-Sūq* in supervising markets and commercial activities also had a considerable practical effect on maintaining market order and security and safeguarding the ethical integrity of economic life.

Political instability, which occurred frequently in the medieval Maghreb and al-Andalus, as well as famine, drought, epidemics, and related crises, directly affected market conditions and could lead to shortages, rising prices, and hoarding. Under such circumstances, failure by the *Ṣāḥib al-Sūq* to supervise the market and sanction offenders could contribute to severe crises such as hunger, insecurity, and social unrest. The *Ṣāḥib al-Sūq*, however, sought actively to keep the prices of essential commodities such as flour, oil, and meat within reasonable limits and thereby prevent the further escalation of crises.

Through close supervision of prices, scales, measures, and the physical organization of markets, and through measures against overpricing, short-weighting, fraud, and hoarding, *Wilāyat al-Sūq* in the Maghreb and al-Andalus not only sought to safeguard the religious and moral integrity of society but also contributed to order and stability within markets. It facilitated public access to wholesome and high-quality commodities at reasonable prices. By taking action against profiteers such as the *jullās*, hoarders, fraudulent merchants, short-weight sellers, and vendors of contaminated food—whose conduct disrupted economic order and endangered public health—the *Ṣāḥib al-Sūq* contributed to the establishment of economic and social justice and to the protection of public health.

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Authors' Contributions

All authors equally contributed to this study.

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Transparency of Data

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